

Part 114-60 [Removed]

20. Part 114-60 is removed.

[FR Doc. 95-19081 Filed 8-3-95; 8:45 am]

BILLING CODE 4310-RF-M

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 65

#### Changes in Flood Elevation Determinations

**AGENCY:** Federal Emergency  
Management Agency, FEMA.

**ACTION:** Final rule.

**SUMMARY:** Modified base (1% annual chance) flood elevations are finalized for the communities listed below. These modified elevations will be used to calculate flood insurance premium rates for new buildings and their contents.

**EFFECTIVE DATE:** The effective dates for these modified base flood elevations are indicated on the following table and revise the Flood Insurance Rate Map(s) (FIRMs) in effect for each listed community prior to this date.

**ADDRESSES:** The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

**FOR FURTHER INFORMATION CONTACT:** Michael K. Buckley, P.E., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-2756.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency makes the final determinations listed below of modified base flood elevations for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Associate Director has resolved any appeals resulting from this notification.

The modified base flood elevations are not listed for each community in this notice. However, this rule includes the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection.

The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program.

These modified elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities.

These modified elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

*National Environmental Policy Act.* This rule is categorically excluded from the requirements of 44 CFR Part 10,

Environmental Consideration. No environmental impact assessment has been prepared.

*Regulatory Flexibility Act.* The Associate Director, Mitigation Directorate, certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the National Flood Insurance Program. No regulatory flexibility analysis has been prepared.

*Regulatory Classification.* This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

*Executive Order 12612, Federalism.* This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

*Executive Order 12778, Civil Justice Reform.* This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

#### List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements. Accordingly, 44 CFR part 65 is amended as follows:

#### PART 65—[AMENDED]

1. The authority citation for part 65 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

#### § 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Connecticut: Hartford County (FEMA Docket No. 7129).	Town of Berlin .....	February 6, 1995, February 13, 1995, The Herald.	The Honorable Robert J. Peters, Mayor of the Town of Berlin, 240 Kensington Road, Berlin, Connecticut 06037.	January 30, 1995.	090022 D
Connecticut: New Haven County (FEMA Docket No. 7127).	Town of Madison .....	January 4, 1995, January 11, 1995, Shoreline Times.	Mr. Thomas Rylander, First Selectman for the Town of Madison, Eight Campus Drive, Madison, Connecticut 06443.	December 22, 1994.	090079 C

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Florida: Orange County (FEMA Docket No. 7127).	Unincorporated Areas .....	January 18, 1995, January 25, 1995, Orlando Sentinel.	Ms. Jean Bennett, Orange County Administrator, P.O. Box 1393, Orlando, Florida 32802-1393.	January 11, 1995.	120179 F
Georgia: Cobb County (FEMA Docket No. 7127).	Unincorporated Areas .....	January 17, 1995, December 6, 1994, December 13, 1994, Marietta Daily Journal.	Mr. William J. Byrne, Chairman of the Board of Commissioners, 100 Cherokee Street, Suite 300, Marietta, Georgia 30090-9680.	November 29, 1994.	130052
Georgia: Gwinnett County (FEMA Docket No. 7127).	Unincorporated Areas .....	January 10, 1995, January 17, 1995, Gwinnett Post Tribune.	Mr. Wayne Hill, Chairman of the Gwinnett County Board of Supervisors, 75 Langley Drive, Lawrenceville, Georgia 30245.	April 17, 1995 ...	130322
Illinois: Unincorporated Areas (FEMA Docket No. 7127).	Cook County .....	September 2, 1994, September 9, 1994, The Chicago Tribune.	Mr. Richard J. Phelan, President of the Cook County Board of Commissioners, 118 North Clark Street, Suite 537, Chicago, Illinois 60602.	August 26, 1994	170054 B
Indiana: Vigo County (FEMA Docket No. 7127).	Unincorporated Areas .....	December 30, 1994, January 6, 1995, Tribune-Star.	Mr. John A. Scott, President of the Vigo County Board of Commissioners, Vigo County Security Annex, 201 Cherry Street, Terre Haute, Indiana 47807.	April 5, 1995 .....	180263
North Carolina: Gaston County (FEMA Docket No. 7127).	City of Gastonia .....	January 17, 1995 January 24, 1995 The Gaston Gazette.	The Honorable James B. Garland, Mayor of the City of Gastonia, P.O. Box 1748, Gastonia, North Carolina 28053-1748.	January 10, 1995.	370100 D
North Carolina: Pitt County (FEMA County No. 7123).	City of Greenville .....	November 23, 1994, November 30, 1994, Daily Reflector.	The Honorable Nancy M. Jenkins, Mayor of the City of Greenville, P.O. Box 7207, Greenville, North Carolina 27835-7207.	March 1, 1995 ..	370191 B
Ohio: Miami County (FEMA Docket No. 7123).	Unincorporated Areas .....	November 23, 1994, November 30, 1994, Troy Daily News.	Mr. Richard Adams, President of the Miami County Commissioners, 201 West Main Street, Troy, Ohio 45373.	May 16, 1995 ....	390398 B
Ohio: Franklin and Delaware Counties (FEMA Docket No. 7127).	City of Westerville .....	January 18, 1995, January 25, 1995, Westerville News and Public Opinion.	Mr. David Lindimore, Manager of the City of Westerville, 21 South State Street, Westerville, Ohio 43081.	April 25, 1995 ...	390179 F
Pennsylvania: Berks County (FEMA Docket No. 7127).	Borough of Wyomissing ...	December 19, 1994, December 26, 1994, Times-Eagle.	Mr. David Y. Bausher, Manager of the Borough of Wyomissing, 22 Reading Boulevard, Wyomissing, Pennsylvania 19610-2083.	December 12, 1994.	421375 A
South Carolina: Lexington County (FEMA Docket No. 7127).	Unincorporated Areas .....	December 14, 1994, December 21, 1994, The State.	Mr. Bruce Rucker, Chairman of the Lexington County Council, 212 South Lake Drive, Lexington, South Carolina 29072.	December 7, 1994.	450129

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Tennessee: Shelby County (FEMA Docket No. 7129).	Unincorporated Areas .....	January 27, 1995, February 3, 1995, Daily News.	Mr. James Kelly, Shelby County Chief Administrative officer, 160 North Main Street, Suite 850, Memphis, Tennessee 38103.	January 20, 1995.	470214 E
Wisconsin: La Crosse County (FEMA Docket No. 7104).	City of La Crosse .....	June 8, 1994, June 15, 1994, La Crosse Tribune.	The Honorable Patrick Zielke, Mayor of the City of La Crosse, 400 La Crosse Street, La Crosse, Wisconsin 54601.	June 2, 1994 .....	555562 B

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Dated: July 28, 1995.

**Richard T. Moore,**

*Associate Director for Mitigation.*

[FR Doc. 95-19217 Filed 8-3-95; 8:45 am]

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#### 44 CFR Part 65

[Docket No. FEMA-7141]

#### Changes in Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency, FEMA.

**ACTION:** Interim rule.

**SUMMARY:** This interim rule lists communities where modification of the base (1% annual chance) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base flood elevations for new buildings and their contents.

**DATES:** These modified base flood elevations are currently in effect on the dates listed in the table and revise the Flood Insurance Rate Map(s) (FIRMs) in effect prior to this determination for each listed community.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Associate Director reconsider the changes. The modified elevations may be changed during the 90-day period.

**ADDRESSES:** The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

**FOR FURTHER INFORMATION CONTACT:** Michael K. Buckley, P.E., Chief, Hazard Identification Branch, Mitigation

Directorate, 500 C Street, SW., Washington, DC 20472, (202) 646-2756.

**SUPPLEMENTARY INFORMATION:** The modified base flood elevations are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection is provided.

Any request for reconsideration must be based upon knowledge of changed conditions, or upon new scientific or technical data.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 et seq., and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program.

These modified elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

#### National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No

environmental impact assessment has been prepared.

#### Regulatory Flexibility Act

The Associate Director, Mitigation Directorate, certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the National Flood Insurance Program. No regulatory flexibility analysis has been prepared.

#### Regulatory Classification

This interim rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

#### Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

#### Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

#### List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements. Accordingly, 44 CFR part 65 is amended as follows:

#### PART 65—[AMENDED]

1. The authority citation for part 65 continues to read as follows:

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